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18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **SAN FRANCISCO DIVISION**

21 COREPHOTONICS, LTD.

22 Plaintiff,

23 vs.

24 APPLE INC.

25 Defendant.

Case No. 3:17-cv-06457-JD (Lead Case)
Case No. 3:18-cv-02555-JD

**JOINT CLAIM CONSTRUCTION AND
PREHEARING STATEMENT**

Pursuant to Patent Local Rule 4-3 and the agreed portion of the parties' proposed case schedules (Dkt. 128), Plaintiff Corephotonics, Ltd. ("Corephotonics") and Defendant Apple Inc. ("Apple") hereby submit their Joint Claim Construction and Prehearing Statement for U.S. Patent Nos. 9,185,291 ("the '291 patent") and 9,568,712 ("the '712 patent") (together "the Asserted Patents").

I. AGREED CONSTRUCTIONS

The parties agree on the constructions of the following terms.

Asserted Claims	Term or Phrase	Agreed Construction
'291 patent cl. 6 '712 patent, cls. 1, 15, 19	"total track length (TTL)" / "total length (TTL)" / "(TTL)"	the length of the optical axis spacing between the object-side surface of the first lens element and one of: an electronic sensor, film, and an image plane corresponding to either the electronic sensor or a film sensor
'712 patent, cl. 15	"optical power"	refractive power
'712 patent, cls. 1, 15	"effective focal length (EFL)" / "EFL"	the focal length of a lens assembly
'291 patent, cls. 1, 12	"smooth transition"	a transition between cameras or points of view that minimizes the jump effect

II. DISPUTED CONSTRUCTIONS

Pursuant to Patent Local Rule 4-2(b), the parties' proposed constructions of the remaining terms in dispute, together with an identification of intrinsic references that support the constructions and extrinsic evidence on which the party intends to rely, are provided in Exhibit A. Each party reserves the right to rely upon the evidence cited by the other party.

III. IDENTIFICATION OF SPECIFIC CLAIM TERMS

Pursuant to Patent Local Rule 4-3(c), Corephotonics and Apple have met and conferred, and have identified the terms that remain in dispute, as identified in Exhibit A, which are potentially significant. Apple's position is that each disputed term is potentially claim-dispositive with respect to certain infringement assertions. The parties do not identify any of the remaining disputed terms as being case dispositive.

IV. ANTICIPATED LENGTH OF TIME NECESSARY FOR CLAIM CONSTRUCTION HEARING

The parties respectfully request two hours for the claim construction hearing, with each party allotted sixty minutes.

V. WITNESSES TO APPEAR AT CLAIM CONSTRUCTION HEARING

The parties do not propose to call witnesses at the claim construction hearing. The parties have agreed to submit any expert opinions in the form of declarations to be submitted with the parties' claim construction briefs.

VI. IDENTIFICATION OF FACTUAL FINDINGS REQUESTED FROM COURT

The parties request that the Court make the factual findings that a person of ordinary skill in the art would understand that each of the disputed terms be construed as proposed by each of the respective parties as identified in Exhibit A.

Dated: August 18, 2022

RUSS AUGUST & KABAT

/s/ Marc A. Fenster

Marc A. Fenster
Attorneys for Plaintiff Corephotonics,
LTD.

Dated: August 18, 2022

COOLEY LLP

/s/ Heidi L. Keefe

Heidi L. Keefe
Attorneys for Defendant Apple Inc.

CERTIFICATE OF SERVICE

I certify that counsel of record who are deemed to have consented to electronic service are being served on August 18, 2022, with a copy of this document via the Court's CM/ECF systems per Local Rule CV-5(a)(3). Any other counsel will be served by electronic mail, facsimile, overnight delivery and/or First Class Mail on this date.

/s/ Marc A. Fenster

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